

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Quintin Littlejohn,	)	Civil Action No.: 6:15-1125-BHH
	)	
Plaintiff,	)	
	)	<b>ORDER AND OPINION</b>
vs.	)	
	)	
Kenny Gist; Jesse Jackson; William	)	
Jefferson Clinton; Hollis Monroe, Pris.;	)	
Tonya Coleman,	)	
	)	
Defendants.	)	
_____	)	

Plaintiff Quintin Littlejohn ("Plaintiff"), proceeding *pro se* and *in forma pauperis*, filed this action pursuant to 42 U.S.C. § 1983. Plaintiff has brought suit against five individuals seeking declaratory relief; injunctive relief, a king's ransom because Plaintiff is a King of the Worlds, and the full worth of "K-DLLL." (ECF No. 1.) This matter is before the Court for review of the Report and Recommendation of United States Magistrate Judge Kevin F. McDonald made in accordance with 28 U.S.C. § 636(b) and Local Rule 73.02 for the District of South Carolina.

On March 13, 2015, the Magistrate Judge issued a Report and Recommendation recommending that this case be dismissed without prejudice and without service of process. (ECF No. 9.) Plaintiff filed an objection to the Report (ECF No. 12) on March 23, 2015.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this Court. *Mathews v. Weber*, 423 U.S. 261, 270, 96 S.Ct. 549, 46 L.Ed.2d 483 (1976). The Court may accept, reject, or modify, in whole or in part, the

Report and Recommendation or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

In reviewing these pleadings, the Court is mindful of the plaintiff’s *pro se* status. This Court is charged with liberally construing the pleadings of a *pro se* litigant. See, e.g., *De’Lonta v. Angelone*, 330 F.3d 630, 633 (4th Cir. 2003). The requirement of a liberal construction does not mean, however, that the Court can ignore a plaintiff’s clear failure to allege facts that set forth a cognizable claim, or that the Court must assume the existence of a genuine issue of material fact where none exists. See *United States v. Wilson*, 699 F.3d 789, 797 (4th Cir. 2012).

### **DISCUSSION**

Plaintiff filed an objection (ECF No. 12) to the Report and Recommendation, which the Court has carefully reviewed. The objection fails to state a specific objection or direct the Court to any specific error in the Magistrate’s proposed findings and recommendations. Rather, Plaintiff’s rambling objections merely rehash points raised in his response in opposition to the motion for summary judgment. Nevertheless, out of an abundance of caution, the Court has conducted a *de novo* review of Plaintiff’s objections, finds them to be without merit, and hereby overrules them. The Report and Recommendation fairly and accurately summarizes the facts and applies the correct principles of law, and the Court agrees with the analysis of the Magistrate Judge.

**CONCLUSION**

For the reasons stated above and by the Magistrate Judge, the Court overrules Plaintiff's objections and adopts and incorporates by reference the Magistrate Judge's Report and Recommendation. Accordingly, the Report and Recommendation is adopted and incorporated herein by reference and this action is DISMISSED without prejudice and without issuance and service of process.

**IT IS SO ORDERED.**

/s/Bruce Howe Hendricks  
United States District Judge

July 7, 2016  
Greenville, South Carolina

**NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure.